Filed 7/23/20 In re D.R. CA2/1

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

In re D.R. et al., Persons Coming Under the Juvenile Court Law.	B300515 (Los Angeles County Super. Ct. No. 19CCJP02658)
LOS ANGELES COUNTY DEPARTMENT OF CHILDREN AND FAMILY SERVICES, Plaintiff and Respondent, v. S.B. et al., Defendants and Appellants.	

APPEALS from orders of the Superior Court of Los Angeles County, Rashida A. Adams, Judge. Dismissed in part and affirmed in part as to mother, S.B.; affirmed as to father, K.B.

Suzanne Davidson, under appointment by the Court of Appeal, for Defendant and Appellant S.B.

Jamie A. Moran, under appointment by the Court of Appeal, for Defendant and Appellant K.B.

Mary C. Wickham, County Counsel, Kristine P. Miles, Assistant County Counsel, David Michael Miller, Deputy County Counsel, for Plaintiff and Respondent.

The juvenile court sustained four allegations against S.B. (Mother) under Welfare and Institutions Code[1] section 300, subdivisions (b) and (j), removed her daughters, D.R. (then seven years old) and M.B. (then five months old) from her custody, granted her reunification services, and ordered her to complete a case plan with numerous requirements. The court also sustained allegations against M.B.'s father, K.B. (Father), and removed M.B. from his custody. Mother and Father appealed from the disposition orders regarding their respective children. Five months later, the juvenile court terminated dependency jurisdiction over D.R. and issued a final custody order, granting D.R.'s biological father, A.R.,[2] sole legal and physical custody of D.R., and ordering supervised visitation between D.R. and Mother.[3] Mother did not appeal from the order terminating

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[1] Further statutory references are to the Welfare and Institutions Code.

[2] A.R. is not a party to this appeal.

[3] We granted Los Angeles County Department of Children and Family Service's (DCFS) request for judicial notice of the juvenile court's February 26, 2020 order terminating dependency

jurisdiction or the final custody order regarding D.R. The juvenile court's dependency jurisdiction over M.B. continues.

On appeal, Mother challenges the sufficiency of the evidence supporting two of the four jurisdictional findings against her (a failure to protect from physical abuse allegation pleaded as to D.R. and sustained under section 300, subdivision (b), and a nearly identical allegation pleaded as to M.B. and sustained under subdivision (j)). She does not challenge jurisdictional findings against her regarding her drug use and mental and emotional problems. For the reasons explained below, we agree with DCFS's position that Mother's challenge to two of the four jurisdictional findings against her is moot, and we reject Mother's counter-arguments. Accordingly, we dismiss the portion of Mother's appeal challenging jurisdictional findings b-4 and j-1.

Mother and Father both contend DCFS failed to comply with duties under the Indian Child Welfare Act (ICWA) (25 U.S.C. § 1901 et seq.) as to M.B. We reject their arguments and affirm the disposition order regarding M.B.

DISCUSSION

I. Mother's Appeal—Jurisdictional Findings and Case Plan

A. Background

We set forth here the background facts that are germane to our mootness analysis.

On appeal, Mother challenges the juvenile court's b-4 finding, which states: "On or about 04/20/2019 [four days before the children were detained from Mother and Father] and on prior occasions, [Mother] allowed the half-sibling's father, K[.]B[.] [to]

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jurisdiction over D.R. and the juvenile court's February 27, 2020 final custody order regarding D.R.

bite the child, D[.]R[.]'s arm which resulted in the child, D[.] to experience unreasonable pain and suffering. Further, on prior occasions [Mother] allowed unrelated adults i.e. 'Nancy and a Man' to physically abuse the child, D[.]R[.] by striking the child, D[.]R[.] with their hand and with a belt which resulted in the child sustaining marks and or bruises. Such physical abuse was excessive and caused the child unreasonable pain and suffering. Further, such physical abuse by the child's half-sibling's father, K[.]B[.] and [Mother]'s unwillingness to protect the child, D[.]R[.] endangers the child's physical and emotional health, safety and well-being, creates a detrimental home environment and places the child and the child's sibling at risk of physical and emotional harm, damage and further physical abuse."[4] Mother also challenges the juvenile court's j-1 finding, which states that M.B.

[4] Before August 2018, Mother and D.R. lived in the State of Washington with a man and a woman. D.R. told a DCFS social worker in this case that Mother allowed the man and the woman to strike her with their hands and belts, which left marks on her skin. In or about August 2018—approximately eight months before DCFS filed the dependency petition in this case—D.R. moved in with her biological father, A.R., at his residence in Los Angeles County. Thereafter, on multiple occasions when D.R. visited Mother, Father (M.B.'s biological father) bit D.R. on her arms when they played. D.R. told Father that it hurt, but he dismissed her complaints, and Mother did not stop him. When D.R. visited the hospital after M.B.'s birth, Father again bit her arm, and Mother declined to intervene. None of the bites left a mark. When M.B. was released from the hospital after her birth, DCFS placed her in foster care where she remained throughout these proceedings. When D.R. was detained from Mother, DCFS placed her with A.R.

is at risk of harm based on the physical abuse her half sibling D.R. suffered, as described in finding b-4.

Mother does not challenge on appeal the juvenile court's b-1 finding, which describes her history of heroin, cocaine, methamphetamine, and marijuana use, as well as her positive toxicology screen for cocaine and methamphetamine at M.B.'s birth (which is the reason the family came to DCFS's attention). Nor does Mother challenge the juvenile court's b-2 finding, which describes her history of mental and emotional problems, including diagnoses of depression and posttraumatic stress disorder and her behavior while in the hospital after M.B.'s birth, including "mistaking a cup of ice for a phone." Father does not challenge the juvenile court's b-3 finding, which describes his history of drug-related convictions, the requirement that he register as a controlled substance abuse offender, and "his unwillingness to acknowledge [Mother]'s need for substance abuse treatment." Nor does he challenge the finding regarding his physical abuse of D.R.

At the August 20, 2019 disposition hearing for D.R. and the September 26, 2019 disposition hearing for M.B., the juvenile court ordered Mother to complete identical case plans, including a full drug program with aftercare, weekly random drug testing, a 12-step program, a psychological assessment and compliance with prescribed psychotropic medication, individual counseling to address six listed case issues, and a parenting course.

At the disposition hearing for D.R., the juvenile court indicated that it ordered the parenting course "in view of the court's sustained findings regarding the mother's failure to protect the child" (presumably the b-4 and j-1 jurisdictional findings Mother challenges on appeal). Mother did not appear at

the disposition hearing for D.R., and her counsel objected to the case plan, requesting in pertinent part that Mother be permitted to address parenting issues during individual counseling rather than in a separate course. The court overruled the objection and ordered both individual counseling and a parenting course. At the disposition hearing for M.B. the following month, where Mother did appear, Mother's counsel again began to object to the separate parenting course, but Mother conferred with her counsel and explained that she had no objection to completing a parenting course but did not want to participate in individual counseling. The court ordered both individual parenting and a parenting course.

In the February 27, 2020 final custody order regarding D.R., which awarded sole legal and physical custody of D.R. to her biological father, A.R., the juvenile court ordered supervised visitation for Mother because she had not completed any aspect of her case plan, including among the numerous programs listed, the parenting course.

Mother was involved in other child welfare proceedings prior to this case. In the Jurisdiction/Disposition Report, DCFS noted that Mother had a prior dependency case in the State of Washington. Mother failed to reunify with a child who was born in 2007, and the child was adopted in or around 2009.

B. Analysis

1. Jurisdictional findings as to M.B.

As Mother acknowledges, the juvenile court's jurisdiction over M.B. will continue—whether or not this court reverses jurisdictional findings b-4 and j-1—based on unchallenged findings b-1, b-2, and b-3 regarding Mother's drug use and mental and emotional problems and Father's drug-related

convictions and unwillingness to acknowledge Mother's need for substance abuse treatment. "When a dependency petition alleges multiple grounds for its assertion that a minor comes within the dependency court's jurisdiction, a reviewing court can affirm the juvenile court's finding of jurisdiction over the minor if any one of the statutory bases for jurisdiction that are enumerated in the petition is supported by substantial evidence. In such a case, the reviewing court need not consider whether any or all of the other alleged statutory grounds for jurisdiction are supported by the evidence." (*In re Alexis E.* (2009) 171 Cal.App.4th 438, 451.)

In her opening and reply briefs on appeal, Mother asks this court to exercise its discretion to review the merits of her challenge to two of the four jurisdictional findings against her (b-4 and j-1), arguing (1) these findings may prejudice her in future dependency or family law proceedings and (2) the juvenile court ordered her to complete a parenting course based on the jurisdictional findings she challenges on appeal. (See *In re J.C.* (2014) 233 Cal.App.4th 1, 4 [an appellate court may exercise its discretion to review the merits of a parent's challenge to one of a number of jurisdictional findings where: "the jurisdictional finding serves as the basis for dispositional orders that are also challenged on appeal; (2) the findings could be prejudicial to the appellant or could impact the current or future dependency proceedings; and (3) the finding could have consequences for the appellant beyond jurisdiction"].) For the reasons explained below, we reject Mother's arguments and conclude there is no basis for this court to exercise its discretion to review Mother's challenge to jurisdictional findings b-4 and j-1 as to M.B.

We find it implausible that the challenged jurisdictional findings regarding Mother's failure to protect D.R. from physical

abuse by others may prejudice Mother in future dependency or family law proceedings any more than the unchallenged findings regarding Mother's drug use and mental and emotional problems and the fact that D.R. and M.B. were declared dependents of the juvenile court and removed from Mother's custody. Mother cites distinguishable cases in which appellate courts reviewed the merits of a mother's challenge to one of the findings against her where the future prejudicial impact of a finding that the mother subjected the child to an act of cruelty or intentionally inflicted serious physical harm on her child was obvious. (*In re D.C.* (2011) 195 Cal.App.4th 1010, 1013-1015 [finding under section 300, subdivision (i) (act of cruelty) regarding a seven-year-old child with cerebral palsy and cognitive defects that the mother threw the child into a fountain and held the child under the water for 10 seconds and then again until a bystander pulled the child from the water]; *In re D.P.* (2014) 225 Cal.App.4th 898, 900-902 [finding under section 300, subdivision (a) (nonaccidental infliction of serious physical harm) that the mother intentionally inflicted physical trauma on her two-year-old daughter, resulting in bruising and scabs on various parts of the child's body (from bites), and swelling to the entire side of the child's head]; *In re D.M.* (2015) 242 Cal.App.4th 634, 637-639 [finding under section 300, subdivision (a) that the mother intentionally inflicted serious physical harm on her son by spanking him with her hand and a sandal].) Here, the juvenile court dismissed for lack of sufficient evidence an allegation under section 300, subdivision (a) regarding physical abuse of D.R. and sustained the allegation under subdivision (b).

Citing section 361.5, subdivision (b)(6), Mother argues a juvenile court can deny her reunification services in a future

dependency case based on the challenged findings. Section 361.5, subdivision (b)(6) allows a juvenile court to decline to order reunification services for a parent in a dependency case if the parent's child was adjudicated a dependent of the court due to "the infliction of severe physical harm to the child" or a half sibling.[5] Here, the juvenile court granted Mother reunification services in the disposition orders regarding M.B. and D.R. By the plain language of section 361.5, subdivision (b)(6), jurisdictional findings b-4 and j-1 do not fall within its scope.[6] While we do not minimize D.R.'s pain and suffering, there was no finding in this case that D.R. suffered "severe physical harm" within the meaning of section 361.5, subdivision (b)(6) as a result of the

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[5] Section 361.5, subdivision (6)(A) provides: "Reunification services need not be provided to a parent or guardian described in this subdivision when the court finds, by clear and convincing evidence" that "the child has been adjudicated a dependent pursuant to any subdivision of Section 300 as a result of severe sexual abuse or the infliction of severe physical harm to the child, a sibling, or a half sibling by a parent or guardian, as defined in this subdivision, and the court makes a factual finding that it would not benefit the child to pursue reunification services with the offending parent or guardian."

[6] "A finding of the infliction of severe physical harm, for the purposes of this subdivision, may be based on, but is not limited to, deliberate and serious injury inflicted to or on a child's body or the body of a sibling or half sibling of the child by an act or omission of the parent or guardian, or of another individual or animal with the consent of the parent or guardian; deliberate and torturous confinement of the child, sibling, or half sibling in a closed space; or any other torturous act or omission that would be reasonably understood to cause serious emotional damage." (§ 361.5, subd. (b)(6)(C).)

bites (which left no mark) and the spankings (which left red marks or bruising).

A juvenile court may deny Mother reunification services in a future dependency case, however, based on Mother's prior history of child welfare proceedings. As set forth above, Mother failed to reunify with a child who was born in 2007, and the child was adopted in or around 2009. Section 361.5 allows a juvenile court to decline to order reunification services in a dependency case based on a parent's failure to reunify with, or termination of parental rights over, another child, if the problems that led to removal are the same as those in the prior case. (§ 361.5, subd. (b)(10)-(11).) Thus, Mother's prior child welfare record may be prejudicial to her in future dependency proceedings in a way the jurisdictional findings she challenges on appeal are not.[7]

Mother also argues that this court should review the merits of her challenge to jurisdictional findings b-4 and j-1 because the juvenile court ordered her to complete a parenting course based on these findings. As set forth above, we will exercise our discretion to review the merits of a challenge to one of a number of jurisdictional findings against a parent where the "finding serves as the basis for dispositional orders that are *also challenged on appeal*." (*In re J.C.*, *supra*, 233 Cal.App.4th at p. 4, emphasis added.) Mother articulates no specific challenge on appeal to the order that she complete a parenting course—other than to state that the order flows from the challenged

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[7] Mother's loss of legal and physical custody of D.R.—an issue she did not challenge on appeal—is also more prejudicial to Mother in future dependency and family law proceedings than the jurisdictional findings she challenges on appeal.

jurisdictional findings. Even if she had asserted arguments on appeal challenging the requirement that she complete a parenting course, she forfeited that challenge by explaining unequivocally at the disposition hearing regarding M.B. that she had no objection to completing such a course. (*In re Anthony Q.* (2016) 5 Cal.App.5th 336, 345 ["the failure to object to a disposition order on a specific ground generally forfeits a parent's right to pursue that issue on appeal"].)

We dismiss this portion of Mother's appeal as moot. Reversal of the challenged findings as to M.B. will not lead to any effectual relief in this case for Mother because dependency jurisdiction over M.B. continues regardless. Moreover, Mother has raised no valid reason for this court to exercise its discretion to review the merits of her challenge to two of the four jurisdictional findings against her.

2. Jurisdictional findings as to D.R.

We similarly have no basis to exercise our discretion to review Mother's challenge to the same jurisdictional findings (b-4 and j-1) as to D.R. "A question becomes moot when, pending an appeal from a judgment of a trial court, events transpire which prevent the appellate court from granting any effectual relief." (*Lester v. Lennane* (2000) 84 Cal.App.4th 536, 566.) "As a general rule, an order terminating juvenile court jurisdiction renders an appeal from a previous order in the dependency proceedings moot." (*In re C.C.* (2009) 172 Cal.App.4th 1481, 1488.) The juvenile court terminated its dependency jurisdiction over D.R. on February 26, 2020 and issued a final custody order regarding D.R. on February 27, 2020. Mother did not appeal from either order.

"An issue is not moot if the purported error infects the outcome of subsequent proceedings." (*In re C.C.*, *supra*, 172 Cal.App.4th at p. 1488.) For the reasons discussed above, we conclude that the challenged jurisdictional findings regarding Mother's failure to protect D.R. from physical abuse are no more prejudicial to Mother in future dependency or family law proceedings than the unchallenged findings regarding her drug use and mental and emotional problems, the fact that D.R. and M.B. were declared dependents of the juvenile court and removed from her custody, and her prior history of child welfare proceedings in which a child was removed from her custody and adopted.

Mother argues that we should review the merits of her challenge to jurisdictional findings b-4 and j-1 as to D.R. because the parenting course requirement that resulted from those findings—the parenting course that Mother expressly consented to participating in and forfeited any challenge to—impacted the final custody order regarding D.R.—an order that Mother did not appeal from. Mother asserts that, under the final custody order, "her visits with D[.R.] are supervised due to her not completing parenting classes." This assertion is disingenuous. In the final custody order, the juvenile court ordered supervised visitation between Mother and D.R. because Mother had not completed any aspect of her multifaceted case plan, only one component of which was the parenting course. It is inconceivable that absent the parenting course requirement the juvenile court would have ordered unsupervised visits for Mother, given the court expressly noted it was ordering supervised visitation for Mother because she had not completed, in addition to parenting, individual counseling, a full drug program with aftercare, weekly random

drug testing, a 12-step program, and a psychological assessment, including compliance with any prescribed psychotropic medication.[8]

Mother's challenge to jurisdictional findings b-4 and j-1 as to D.R. is moot. The juvenile court no longer has jurisdiction over D.R., Mother did not appeal from the order terminating jurisdiction or the final custody order, and it is implausible that the challenged findings will have any prejudicial impact on future dependency or family law proceedings. Accordingly, we dismiss this portion of Mother's appeal.

II. Mother's and Father's Appeal—ICWA Inquiry and Notice

Mother and Father contend DCFS failed to comply with duties under ICWA as to M.B.

A. Background

On April 29, 2019, at the outset of these dependency proceedings, Father filled out and signed form ICWA-020, "Parental Notification of Indian Status." He checked the box stating, "I may have Indian ancestry" and wrote in "Chocktaw." He did not check the box indicating M.B. "may be a member of, or eligible for membership in, a federally recognized Indian tribe." Nor did he check the box indicating one of his "parents, grandparents, or other lineal ancestors is or was a member of a federally recognized tribe." There is no indication in the record that Father provided DCFS or the juvenile court with names or

[8] As Mother acknowledges in her reply brief on appeal, she may request unsupervised visits with D.R. in the family court if she demonstrates a "significant change of circumstances" (and that modification of the final custody order is in D.R.'s best interests). (§ 302, subd. (d).)

contact information for any of his relatives. At the detention hearing the same day (April 29, 2019), the juvenile court found M.B. "may be an Indian child" and ordered DCFS to investigate Father's claim regarding Chocktaw ancestry and to send ICWA notices to Chocktaw tribes and the Bureau of Indian Affairs.

On May 13, 15, and 24, 2019, a DCFS dependency investigator contacted Father to interview him. The investigator left voicemail messages but did not reach Father. On May 14, 15, and 20, 2019, a different DCFS dependency investigator contacted Father to interview him for purposes of a home assessment and evaluation but received no response to voicemail messages.

On June 20, 2019, DCFS sent ICWA notices for M.B. to three Chocktaw tribes and the Bureau of Indian Affairs. Although DCFS listed Father's information on the notices (name, address, date and place of birth), DCFS incorrectly attributed the potential Chocktaw ancestry to Mother instead of Father.

In a Last Minute Information for the Court, filed August 14, 2019, DCFS reported it had received responses from two of the three Chocktaw tribes, indicating M.B. was not enrolled or eligible for enrollment in the tribes. DCFS received return receipts for the ICWA notices it sent to all three Chocktaw tribes. DCFS also informed the juvenile court in the same report that a dependency investigator attempted to interview Mother and Father at the conclusion of their July 23, 2019 visit with M.B., but Mother became argumentative and declined to cooperate with the interview, and Father apparently remained silent.

At the August 20, 2019 adjudication hearing, the juvenile court found ICWA notice as to M.B. was not proper because DCFS incorrectly attributed the potential Chocktaw ancestry to

Mother instead of Father in the ICWA notices it sent. The court proceeded with adjudication but continued the disposition hearing regarding M.B., ordering DCFS to provide proper ICWA notice to the Chocktaw tribes.

On September 24, 2019, DCFS mailed ICWA notices for M.B. to the Bureau of Indian Affairs and the three Chocktaw tribes (Chocktaw Nation of Oklahoma, Jena Band of Chocktaw Indians, and Mississippi Band of Chocktaw Indians), listing Father's information on the notices (name, address, date and place of birth) and attributing the potential Chocktaw ancestry to Father.[9] At the September 26, 2019 disposition hearing regarding M.B., the juvenile court commented: "The court had previously ordered the Department [DCFS] to notice the Chocktaw tribes as to M[.B.], and that has now been done." The court set the matter for an ICWA progress report on November 21, 2019, and ordered DCFS to submit to the court by that date the return receipts from the September 24, 2019 ICWA notices for M.B. and any responses from the tribes.

Father and Mother appealed from the disposition order regarding M.B. The only issue Father raises on appeal is that DCFS failed to comply with duties under ICWA. In his opening appellate brief, Father argues that the September 24, 2019

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[9] The September 24, 2019 ICWA notices for M.B. also attribute potential Blackfeet and Cherokee ancestry to Father. This appears to be a mistake as there is nothing in the record indicating Father told DCFS he might have either Blackfeet or Cherokee ancestry. D.R.'s father, A.R., however, informed DCFS that he has Blackfeet and Cherokee ancestry. In any event, DCFS also sent the ICWA notices for M.B. to a Blackfeet tribe and three Cherokee tribes.

corrected ICWA notices for M.B. are inadequate because "they contain no information about M[.B.]'s paternal relatives, other than [F]ather himself." Father also asserts that the "record does not show that [DCFS] fulfilled its duty to gather information regarding the paternal relatives." In a supplemental opening appellate brief, Mother makes these same arguments and assertions.

On November 21, 2019, about two months after Mother and Father appealed from the disposition order regarding M.B., DCFS filed a Last Minute Information for the Court, attaching the return receipts for the September 24, 2019 ICWA notices, as well as letters from each of the three Chocktaw tribes, indicating M.B. was not enrolled or eligible for enrollment in the tribes. After a hearing held the same day (November 21, 2019), the juvenile court issued a minute order stating in pertinent part, "The Court does not have a reason to know that this is an Indian Child [M.B.], as defined under ICWA."[10]

B. Analysis

Under ICWA and California law, it is clear DCFS did not have a duty to provide notice of the proceedings to the Bureau of Indian Affairs or the Chocktaw tribes, based on the information DCFS knew about Father's potential Chocktaw ancestry. Under ICWA, an "Indian child" is an unmarried person under 18 years of age who is (1) a member of a federally recognized Indian tribe or (2) is eligible for membership in a federally recognized tribe

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[10] We granted DCFS's request for judicial notice of the November 21, 2019 Last Minute Information for the Court, with attached return receipts and letters from the tribes, and the juvenile court's November 21, 2019 minute order.

and is the biological child of a member of a federally recognized tribe. (25 U.S.C. § 1903(4) & (8); see § 224.1, subd. (a) [adopting federal definitions].) ICWA notice is required if DCFS or the juvenile court knows or has reason to know a child is an Indian child. (25 U.S.C. § 1912(a); § 224, subd. (a); Cal. Rules of Court, rule 5.481(b)(1).) The only relevant information in the record is that on form ICWA-020 Father checked the box stating, "I may have Indian ancestry" and wrote in "Chocktaw." "Indian ancestry, however, is not among the statutory criteria for determining whether there is a reason to know a child is an Indian child." (*In re Austin J.* (2020) 47 Cal.App.5th 870, 887; see § 224.2, subd. (d) [setting forth criteria]; see also *In re A.M.* (2020) 47 Cal.App.5th 303, 321.) Accordingly, the information Father provided on form ICWA-020—the sole information Father provided related to the ICWA inquiry—does "not constitute information that a child 'is an Indian child' or information indicating that the child is an Indian child, as is now required under both California and federal law" to trigger the notice requirement. (*In re Austin J.*, at p. 887, citing § 224.2, subd. (d)(1) & (3) and 25 C.F.R. § 23.107(c).)

The question at issue on appeal is whether DCFS and the juvenile court satisfied the duty of inquiry. DCFS and the juvenile court "have an affirmative and continuing duty to inquire whether a child" involved in dependency proceedings "is or may be an Indian child." (§ 224.2, subd. (a).) When DCFS detains a child and places that child in foster care, its duty to inquire "includes, but is not limited to, asking the child, parents, legal guardian, Indian custodian, extended family members, others who have an interest in the child, and the party reporting child abuse or neglect, whether the child is, or may be, an Indian

child and where the child, the parents, or Indian custodian is domiciled." (§ 224.2, subd. (b).) "At the first appearance in court of each party, the court shall ask each participant present in the hearing whether the participant knows or has reason to know that the child is an Indian child" (§ 224.2, subd. (c)) and order the parents to complete form ICWA-020 (Parental Notification of Indian Status). (Cal. Rules of Court, rule 5.481(a)(2)(C).) If the juvenile court or social worker "has reason to believe that an Indian child is involved in a proceeding," the court or social worker "shall make further inquiry regarding the possible Indian status of the child," including, but not limited to: (1) interviewing the parents and extended family members; (2) contacting the Bureau of Indian Affairs and the State Department of Social Services for assistance in identifying and contacting tribes; and (3) contacting tribes and others "that may reasonably be expected to have information regarding the child's membership, citizen status, or eligibility." (§ 224.2, subd. (e).)

Mother and Father claim DCFS and the juvenile court fell short on the duty of inquiry in failing to "gather information regarding the paternal relatives." The record is clear that DCFS investigators made numerous attempts to interview Father, but Father did not speak with them to permit them to gather more information. Nor did he respond to their voicemail messages. Father did not disclose the identity of any relative who might have information regarding his potential Indian ancestry. Neither ICWA nor California law "obligate the court or [DCFS] 'to cast about' for investigative leads. [Citation.] There is no need for further inquiry if no one has offered information that would give the court or [DCFS] reason to believe that a child might be an Indian child. This includes circumstances where

parents 'fail[] to provide any information requiring followup.' " (*In re A.M.*, *supra*, 47 Cal.App.5th at p. 323.)

Although DCFS and the juvenile court had no duty under federal or California law to provide notice of the proceedings to the Bureau of Indian Affairs or the Chocktaw tribes, they did. The fact the notices did not include information about Father's relatives does not establish DCFS or the juvenile court failed in the duty of inquiry, for the reasons explained above. Father refused DCFS's requests for an interview and provided no leads for DCFS to follow. There was no ICWA-related error here.

DISPOSITION

Mother's appeal from jurisdictional findings b-4 and j-1 and the portion of the disposition orders requiring a parenting course is dismissed. The September 26, 2019 disposition order regarding M.B. is affirmed.

NOT TO BE PUBLISHED

CHANEY, J.

We concur:

ROTHSCHILD, P. J.

SINANIAN, J.*

* Judge of the Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.